

Board of Selectmen's Meeting Minutes
October 18, 2007
Harpswell Town Office
Approved on November 1, 2007

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Selectmen Present: Amy N. Haible, James S. Henderson and Chairman Samuel W. Alexander

Staff Present: Kristi Eiane, Town Administrator; William Wells, Code Enforcement Officer; Tracey Thibault, Code Enforcement Officer and Interim Town Planner; and Marguerite Kelly, Town Treasurer

Call to Order and Pledge of Allegiance: The meeting was called to order by Chairman Alexander at 6:30 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Alexander moved, seconded by Selectman Haible to adopt the agenda as printed; motion passed 3-0.

2. Town Administrator's Report: Administrator Eiane reported that there will be a municipal ballot on November 6 containing two items (Mitchell Field Master Plan and an appropriation for the Maine Department of Transportation to perform preliminary work on the Cribstone Bridge to allow for the future relocation of the utilities). Administrator Eiane stated that the Mitchell Field Master Plan is available on the Town's website and at the Town Office. Administrator Eiane explained that the question pertaining to the Cribstone Bridge is to appropriate \$35,000 to allow MDOT to design and construct the sidewalk in a manner that would allow for the possible relocation of the utilities from overhead to under the sidewalk. Administrator Eiane encouraged the public be informed and to attend the hearing scheduled for Tuesday, October 23 at 7:00 pm at Harpswell Islands School.

3. Selectmen's Announcements: Chairman Alexander announced the Town received the preliminary 2008 tax evaluation from the Maine Revenue Services of \$1,983,850,000. Selectman Haible thanked the Garden Club for their work on the garden at the Town Office. Selectman Henderson provided an update (attached for further review) on the Reorganization Planning Committee that was formed to work on possible school consolidation issues with MSAD #75 and Lisbon.

4. Mitchell Field Update: Selectman Haible announced Mitchell Field will be open this Saturday from 10:00 am to 12:00 noon for people to tour and view the zones proposed in the Mitchell Field Master Plan and ask questions of the Mitchell Field Committee. Selectman Haible reported that the Mitchell Field Committee held a live call-in show at the Harpswell Television Studio last night.

5. Conservation Commission Update: Administrator Eiane stated this item is on the agenda to remind the public of the Open Space Process that the Conservation Commission is working on.

6. Treasurer's Report: Marguerite Kelly, Town Treasurer, reviewed her monthly report for September (attached as further review).

7. Pipeline Advisory Committee Update: Len Freeman, co-chair of the Pipeline Advisory Committee, reviewed the history of the pipeline and past Town actions pertaining to the pipeline. Mr. Freeman explained that in May 2007, the Defense Logistics Agency hired GZA GeoEnvironmental Engineering, Inc. to conduct a pipeline survey. GZA completed their survey and provided the Town with a report on their findings. Mr. Freeman provided a summary of the GZA report (attached as further review). Mr. Freeman reported that the Committee would like to see funding of this project in 2008 DoD budget, a year earlier than Senator Snowe's office advised of possible funding. Mr. Freeman encouraged the Town to seek assistance from Representative Tom Allen's office and Senator Collins in addition to Senator Snowe to try to get funding available in 2008.

Brian Whitney, of Senator Snowe's office, reported that the congressional delegation is working with the DoD to acquire funding for this project in 2009. Selectman Haible moved, seconded by Chairman Alexander to direct the Pipeline Advisory Committee to draft a summary of the GZA report to send to the easement holders; motion passed 3-0.

8. Wharf Applications

- **Lee Theberge, Map 27, Lot 31, Osbourne ROW:** William Wells, Code Enforcement Officer, reported there was an on-site public hearing and that the proposal doesn't cause a hazard to navigation or impact the rights of others. Mr. Wells reviewed the proposal and stated the system will serve 13 families. The Board asked questions of Ben Wallace, builder. Chairman Alexander moved, seconded by Selectman Haible to approve the application as it does not interfere with navigation of the public's use of the intertidal zone; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to close the public hearing; motion passed 3-0.
- **Fred Lyman, Map 51, Lot 129, 250 Oakledge Road:** Chairman Alexander moved, seconded by Selectman Haible to open the public hearing on this application; motion passed 3-0. William Wells explained this proposal is replacing an existing system and will be of less impact, and it does not create a hazard to navigation or cause injury to the rights of others. Selectman Henderson moved, seconded by Selectman Haible to close the public hearing; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to approve this application and find that it is not an impediment to navigation or cause injury to the rights of others; motion passed 3-0.

9. 7:00 PM Public Hearing On General Assistance Ordinance Maximums: Chairman Alexander moved, seconded by Selectman Haible to open the public hearing at 7:12 pm; motion passed 3-0. Administrator Eiane explained that as long as the Town operates the general assistance program in compliance with State guidelines, the Town receives 50% reimbursement of its expenditures. Administrator Eiane reported that the Selectmen have the authority to adopt general assistance ordinance without Town Meeting approval and every year the Department of Health and Human Services issues appendixes to the ordinance. The appendixes suggest maximum amounts of assistance in different categories. Administrator Eiane encouraged the Selectmen not to pass Appendix C as the rental limits do not seem indicative of rents in Harpswell. The Board discussed the different appendixes and rental situations. Administrator Eiane reported that Appendix F is new which allows assistance with personal items (not covered under food stamps). Selectman Haible moved, seconded by Chairman Alexander to adopt the general assistance ordinance maximums of Appendixes A, B and F for the time period of October 7, 2007 through October 7, 2008; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to close the public hearing at 7:25 pm; motion passed 3-0.

10. Committee Recommendations for Giant's Stairs Path: Melinda Richter, co-chair of the Town Lands Committee, provided some background of the Giant's Stairs property and read a portion of the deed from the Sinnetts to the Town. Ms. Richter explained the Town Lands Committee and the Recreation Committee walked the property last Saturday and noted the poor condition of the trail and stated the Town has never improved the site. Ms. Richter reviewed that the Town received an estimate last year for \$13,000 to improve the trail and this year received an estimate and report from the Maine Conservation Corp which exceeds \$73,000 (\$3,000 materials; \$70,000 labor) to improve the entire trail. Ms. Richter asked the Board to consider making improvements to the path, authorize Town staff to apply for a Recreational Trail Grant (which provides up to \$30,000) and for Brian Johnson to flag the boundaries of the property. Ms. Richter questioned what the process would be to fund improvements at the site for next year if the grant is not approved. Administrator Eiane noted the Maine Conservation Corp estimated costs were primarily for labor and if volunteers assisted in the project, costs would be substantially less. Chairman Alexander moved, seconded by Selectman Haible to authorize staff to apply for the Recreational Trail Grant; motion passed 3-0. Don Miskell, of Recreation Committee, supported

improving this path and applying for the grant. The Board encouraged staff to work on a parallel budget to fund the improvements if the grant is not awarded to the Town.

11. Consider RFP for Brush Truck: Chairman Alexander explained this RFP is for a brush truck for the Fire Departments, approved at the March 2007 Town Meeting. Selectman Henderson inquired about the details of the warranty. Administrator Eiane reported that the consultant from ESCI agreed that there was a demonstrated need for this vehicle as currently the only one available is a 1982 vehicle that is in poor condition. Administrator Eiane noted the consultant, the Town Attorney and the Fire Departments have reviewed the RFP. Chairman Alexander moved, seconded by Selectman Haible to adopt the RFP and add to it that the truck will come with an overall vehicle warranty acceptable to the Town; motion passed 3-0.

12. Creation of Sign Ordinance Task Force: Selectman Haible read the proposed Sign Ordinance Task Force statement of purpose incorporating suggested changes and moved to adopt. Selectman Henderson seconded the motion and the motion carried 3-0. Selectman Henderson moved to add to the statement of purpose that at least 2 of the 5 member task force should be non-business owners. Selectman Haible seconded the motion as long as the work of the task force not be delayed waiting for a fifth person who is a non-business owner to join; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to appoint Jennifer Verplanck, Hadi Modr, Michelle Henning and Ellie Multer as members of the task force; motion passed 3-0.

13. Consider RFP/RFQ Water and Septic Study Phase II: Administrator Eiane recommended the Board not act on this item tonight as she just received some comments she would like to have vetted through the chair of the CPIC. Administrator Eiane stated the CPIC is looking for information that will help develop the rural/village districts and she is not sure that will be accomplished through this RFP/RFQ. Selectman Haible encouraged having Ken Cichon, chair of CPIC, review the RFP/RFQ again as she wants to assure the available funding results in the best product possible and to assist the CPIC in their work. Chairman Alexander moved, seconded by Selectman Henderson to table this item until the November 15 meeting; motion passed 3-0.

14. Consider Network Server RFP: Selectman Henderson made some points about the specifications listed for the server. Chairman Alexander moved, seconded by Selectman Henderson to authorize this RFP to be sent out; motion passed 3-0.

15. Election Worker Appointments: Chairman Alexander moved, seconded by Selectman Henderson to appoint Joanne Gordon as Registrar until December 31, 2008; Hope Hilton as Deputy Warden for the November 6, 2007 election; Pat Leary as Warden for the November 6, 2007 election; Cindy Baumgartner as Election Ballot Clerk to end April 30, 2008; Belinda Bock as Election Ballot Clerk to end April 30, 2008; Janet Coombs as Warden for the November 6, 2007 election; Megan Hubbard as Warden for the November 6, 2007 election; Kerry Matteson as Deputy Warden for the November 6, 2007 election; Tom Rothwell as Deputy Warden for the November 6, 2007 election; Victoria Wallace as Election Ballot Clerk to end April 30, 2008; and Carol Jean Richter as Deputy Registrar until December 31, 2008. Selectman Henderson stated that if it is required by law, it would be useful to see if a partisan balance is accomplished at the time of making the appointments. Motion carried 3-0.

16. Sign Special Town Meeting Warrant for Referendum Questions: Administrator Eiane stated that the ballot has already been printed and people are able to vote by absentee ballot. The warrant requires signatures and to be posted 7 days prior to the vote. Chairman Alexander moved, seconded by Selectman Henderson to sign the warrant; motion passed 3-0.

17. Cumberland County Tax Assessment: Chairman Alexander moved, seconded by Selectman Henderson to sign the County Tax Assessor's Return in the amount of \$921,909 based on the Town's assessment of \$1,729,700,000; motion passed 3-0.

18. Open Bids for Replacement of Failed Septic System: Chairman Alexander opened the bids received as follows: J.R. Hill \$15,000; John L. Davis \$9,049; Ed Skillins \$7,500; Countryfare \$11,995; and Tupper Construction \$10,462.60. Chairman Alexander moved, seconded by Selectman Henderson to award Project 1 of the Harpswell Grant/Loan Program to Ed Skillin, Inc. for \$7,500; motion passed 3-0. Selectman Henderson inquired what the warranty requirement was for these projects. Staff will provide an answer.

19. Board of Appeals Fee Discussion: The Board discussed lowering the Board of Appeals fee and refunding the fees to successful applicants for Administrative Appeals only. Selectman Henderson moved, seconded by Selectman Haible to set the Board of Appeals fee for Administrative Appeals at \$100 with a full refund if the appeal is successful; motion passed 3-0. The fee for variance appeals remains at \$135.

20. Authorization of the Warrant: Administrator Eiane recommended approval of warrant 55 and payroll warrant 46. Chairman Alexander moved, seconded by Selectman Haible to approve warrant 55 in the amount of \$1,578,247.70; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to approve payroll warrant 46 in the amount of \$13,295.83; motion passed 3-0.

21. Approval of the Minutes: Selectman Haible moved, seconded by Chairman Alexander to approve the minutes (October 2 and 4); motion passed 3-0.

22. Public Comment: There was no public comment.

23. Adjournment: The meeting was adjourned by unanimous vote at 8:45 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: October 18, 2007 Reorganization Planning Committee Update
Treasurer's Report
Pipeline Advisory Committee Summary of GZA Report
Sign Ordinance Task Force Statement of Purpose